



COMMONWEALTH OF MASSACHUSETTS  
**Board of Registration**  
**of**  
**Hazardous Waste Site Cleanup Professionals**

**MINUTES**  
**of**  
**BOARD MEETING**

Held on  
**April 13, 2010**

Meeting Location: MASSDEP, CENTRAL REGIONAL OFFICE  
627 Main Street  
Worcester, Mass.

Prepared by: T. Wood

[Approved: June 24, 2010]

1. **Call to Order:** Chairperson Janine Commerford called the meeting to order at 2:20 p.m. The other Board members present were Gail Batchelder, Deborah Farnsworth, Kirk Franklin, Jack Guswa, Gretchen Latowsky, Robert Luhrs, Kelley Race and Debra Stake. Board members absent: Christophe Henry. The LSP Board staff members present were Lynn Read, Terry Wood and Al Wyman. Also present were Wes Stimpson of the LSP Association and Tom Potter of MassDEP.
2. **Announcements:** Ms. Commerford acknowledged the recent death of Brian Quinlan, a valued and respected member of the Board staff for many years. She stated that he will be greatly missed.
3. **Agenda:** The Board members agreed to follow the draft agenda.
4. **Minutes:** The Board reviewed the draft minutes of the meeting of the Board held on February 18, 2010. **A motion was made and seconded to approve the minutes as drafted with one minor edit. The motion was approved unanimously.**
5. **Decisions Regarding Licensing of Applicants:** The staff presented the following Application Docket:

**Docket No. 1:** The applicant's name, company name, application number, and Application Review Panel recommendation were read into the record:

App. No.      ARP      Rec.

James W. Stolecki	Massachusetts Port Authority	#8524	230	A
Justin L. Mosquera	AECOM Environmental	#2887	230	A
David Purrington	GeoEnvironmental, Inc.	#4970	230	A

A motion was made and seconded that the Board accept the recommendation from Application Review Panel #230, i.e., that the applications submitted by Mr. Stolecki, Mr. Mosquera and Mr. Purrington be approved and that they be found eligible to take the exam. The motion was approved unanimously.

**6. License Renewal Applications:**

**A. Renewal Dockets.** The staff presented the following License Renewal Dockets:

**Board Meeting  
April 13, 2010**

**Renewal Docket #1  
Renewal Date: April 30, 2010  
New Renewal Date: April 30, 2013**

Completed all requirements for renewal.

1. Kenneth E. Lento #5877
2. Ernest E. Ashley #4894
3. Scott Parker #9969
4. Valerie D. Tillinghast #6272
5. Jonathan O'Brien #4562
6. Jonathan Moore #5928

**Renewal Docket #2  
New Renewal Date: April 30, 2013**

Has completed all requirements for renewal  
within the one year granted for Expired Licenses:

1. Michael Flynn #3560

A motion was made and seconded to renew the licenses of the LSPs on Renewal Dockets #1 and #2 for a three-year period ending on the dates indicated. The motion was approved unanimously.

**7. Other Licensing-Related Matters:**

- A. New Panel Assignments and Scheduling.** The following Board members were assigned to Application Review Panel # 231: Ms. Commerford, Mr. Franklin and Ms. Race.
- B. Appeals Status Report.** Ms. Wood reported that there are no pending appeals regarding the Board's denial of a license application.
- C. Inactive Status Report.** The staff reported that there were no changes to the list of LSPs on Inactive Status since the last meeting. A total of 5 LSPs are currently on Inactive Status.
- D. LSPs Who Have Voluntarily Withdrawn from Profession and Surrendered Licenses.** The staff reported the following LSPs have voluntarily withdrawn from the LSP profession:
- William St. Hilaire (#1970) at close of business on 3/25/10
  - Michael R. Burke (#9395) at close of business on 4/2/10
- E. Total Number of Active and Inactive LSPs.** The staff reported that the total number of Active LSPs as of the date of this meeting was 555 as of 4/6/10.
- F. Update Regarding Revisions to Application Instructions.** Ms. Wood reported that the staff had recently posted updated revisions to the application instructions posted on the Web site.

**9. Examinations:**

The staff reported that an examination has not been given since the last meeting. The next exam is scheduled for May 6, 2010. Committee members discussed the possibility of giving exams less frequently after the May exam due to the recent loss of three Board staff members.

**10. Continuing Education Committee Report:**

- A. Course and Conference Approval Requests.** Mr. Wyman reported that the Committee had met earlier in the day and had the following course recommendation to present to the full Board:

Sponsor: LSPA

Course Title: *MCP for Everyone*

Credits Requested: 4 Technical Credits

Committee Recommendation: **Conditionally Approve. The Committee had tabled this course in February because the Committee had requested one of the presenters be replaced. The Committee approved the course for 4 non-MassDEP Regulatory Credits pending the receipt of the presenter bio.**

Sponsor: LSPA

Course Title: *Pneumatic Slug Testing*

Credits Requested: 8 Technical credits

Committee Recommendation: **Approve this course for the credits requested.**

Sponsor: NEWMOA

Course Title: *Remediation of Contaminated Sediment Sites*

Credits Requested: 5 Technical credits

Committee Recommendation: **Approve. The course provider requested 5 technical non-DEP credits. The Committee requested the Continuing Education Coordinator review actual course time and provide for the appropriate amount of credits.**

**A motion was made and seconded to accept the Committee's recommendation. The motion was approved unanimously.**

**B. Other Business – Waiver Request from Mike Flynn.** The Committee reported that the Board had voted to a waiver for Mr. Flynn at the February 2010 meeting to waive the attendance requirement for the four-hour course “Revised CAM” and allow him to receive 50% credit for attending 75% of the course. However, the vote in support of the waiver request had been 5 to 2 but, after last month’s meeting Board staff realized an error had been made because 309 CMR 2.12 requires that affirmative vote of a majority of the Board is required to approve or deny a waiver petition. Therefore, a vote of at least 6 members was needed. The Committee reported that Mr. Flynn’s waiver petition was presented again at this month’s meeting. **After discussion, a motion was made and seconded to recommend that the waiver be approved. The vote was five in support of the petition (Batchelder, Farnsworth, Franklin, Guswa and Latowsky) to three (Commerford, Race and Stake). Mr. Luhrs abstained. Lacking the necessary six votes, the waiver petition was not approved.**

11. **Professional Conduct Committee:** Since all the Board members present at this meeting were also present at the meeting of the Professional Conduct Committee held earlier in the day, the Board agreed to forego a Committee report.
12. **Personnel, Budget, and Fees:** The Board discussed the fact that the Board staff has now been reduced from six to three with the sudden death of Brian Quinlan. Ms. Commerford stated that she has made a request to MassDEP’s personnel committee for additional staff for the Board. Mr. Luhrs also reported that the Board’s budget subcommittee is attempting to arrange a meeting with MassDEP Commissioner Burt to discuss the Board’s staffing needs.
13. **Status of Board Member Replacements by Governor:** Ms. Commerford stated that she has no new information.

14. **Other Business:**

A. Topic for next article in *LSPA News*. Mr. Stimpson stated that the LSPA membership would be interested in an article that discusses the Board's disciplinary process. The Board indicated that an article would depend upon whether Board staff had time to prepare an article before the next publishing deadline which is the end of April.

B. Other New Business. There was no other new business.

15. **Scheduling of Next Meeting:** The Board is scheduled to meet on May 20<sup>th</sup> at MassDEP's Western Regional Office in Springfield.

16. **Enter Executive Session:** Mr. Franklin and Ms. Stake were recused from the matter to be discussed at the Executive Session and left the meeting. **A motion was made and seconded that the Board enter Executive Session for the purpose of approving the draft minutes from the Executive Session held in February 2010, and thereafter to adjourn and not return to public session. The motion was approved 7-0 on a roll call vote.** Ms. Commerford conducted a roll-call vote. Each member present voted as follows:

Ms. Batchelder	Aye	Mr. Luhrs	Aye
Ms. Commerford	Aye	Ms. Race	Aye
Ms. Farnsworth	Aye		
Mr. Guswa	Aye		
Ms. Latowsky	Aye		

At 2:48 p.m. the Board entered into Executive Session.